

**2. RESPONSE/REMARKS**

**2.1 STATUS OF THE CLAIMS**

*Claims 1-5, 7-31, 35, 39 and 40 were pending at the time of the Action.*

*Claims 1, 14, 15 and 24 have been amended herein.*

*Claims 1-5, 7-31, 35, 39 and 40 remain pending in the case.*

**2.2 SUPPORT FOR THE CLAIMS**

Support for the pending claims can be found throughout the original specification, claims, and figures as filed. Applicants certify that no new matter is included by entry of this paper.

Although no fees are believed to be due in connection with entry of the present amendment, should any fees be deemed necessary for any reason, the Commissioner is hereby authorized to deduct any necessary amounts from Deposit Account No. 08-1934, Order No. 36677.8.

**2.3 THE OBJECTION TO CLAIM 1 IS OVERCOME.**

*The Action at page 2, Item 5, objected to claim 1 because of a typographical error.*

Applicants have corrected this inadvertent error by deleting the word “by” before “activating.” As such, Applicants respectfully request that the objection be withdrawn.

**2.4 THE OBJECTION TO CLAIM 14 IS OVERCOME.**

*The Action at page 3, Item 6, objected to claim 14 because of a typographical error.*

Applicants have corrected this inadvertent error by addition of a comma between “amide” and “activating.” As such, Applicants respectfully request that the objection be withdrawn.

**2.5 THE REJECTION OF CLAIMS UNDER 35 U. S. C. § 112, 2<sup>ND</sup> PAR., IS OVERCOME.**

*The Action at page 3, Items 7-8, rejected claims 1-5, 7-10, 14-15, 17, 18, 20, 22, 24, 26-31, 39 and 40 under 35 U. S. C. § 112, 2<sup>nd</sup> paragraph, allegedly as being indefinite because it was unclear as to “which group in General Formula II is linked to a primary amine nitrogen atom of an amino acid or a peptide to form a secondary amine, since Z.....R<sup>3</sup>, R<sup>4</sup>, or R<sup>5</sup> can be the group forming carbon-nitrogen bond.”*

Applicants respectfully traverse, and contend that it would be perfectly clear to the skilled artisan (particularly upon a fair reading of the Specification and claims as a whole) that **Z** *must* be a group which allows for the formation of a covalent carbon-nitrogen bond that links the auxiliary to the peptide which is to be cyclized (*N.B. e.g.*, the summaries at pp. 16-18 of the Specification, as well as the illustrative synthetic schemata illustrated at pp. 20-25, *Ibid.*).

Applicants assert there is nothing in the Specification to suggest that any of the substituents R<sup>3</sup>, R<sup>4</sup>, or R<sup>5</sup> can be the group which permits formation of the covalent C-N bond between the auxiliary and the peptide. As such, it would be plainly evident to the skilled artisan that **Z** *must* be the group that allows the C-N bond to form, and Applicants cannot imagine a scenario under which an addressee of the present Specification would erroneously conclude that such a bond was capable of being formed with R<sup>3</sup>, R<sup>4</sup>, or R<sup>5</sup>, and not with **Z**.

For this reason, Applicants reiterate their earlier position that all pending claims are definite, and as such, now respectfully request that this rejection be withdrawn.

***The Action at page 3, Item 9, rejected claim 15 because it failed to further limit claim***

***14.***

Applicants have corrected this inadvertent typographical error by replacing “General Formula III” in claim 15 with “General Formula II.” As such, Applicants respectfully request that the rejection be withdrawn.

***The Action at page 4, Item 10, rejected claims 24 and 25, allegedly as being indefinite.***

Applicants have overcome the rejection by amending the language of claim 24, to be more consistent with that of the language in claim 26, which was not considered indefinite. Applicants respectfully request that the rejection be withdrawn.

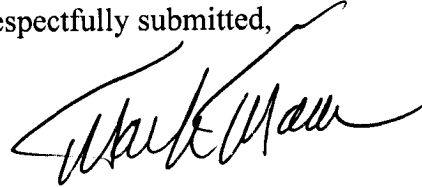
## **2.6 CONCLUSION**

It is respectfully submitted that all claims are fully enabled by the Specification, and that all claims are definite and free of the prior art. Applicants believe that the claims are acceptable under all sections of the Statutes and are now in condition for ready allowance, and that all of the concerns of the Examiner have been resolved. Applicants earnestly solicit concurrence by the Examiner and the issuance of a Notice of Allowance in the case with all due speed.

Applicants also note for the record their explicit right to re-file claims to one or more aspects of the invention as originally claimed in one or more continuing application(s) retaining the priority claim from the present and parent cases.

Should the Examiner have any questions, a telephone call to the undersigned Applicants' representative would be appreciated, in particular, in advance of any subsequent action on the merits.

Respectfully submitted,




Mark D. Moore, Ph.D.  
Registration No. 42,903

Date: **April 25, 2007**  
HAYNES AND BOONE, L.L.P.  
901 Main Street, Suite 3100  
Dallas, Texas 75202-3789  
Telephone: 713-547-2040  
Facsimile: 214-200-0853

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**Certificate of Service**

I hereby certify that this correspondence is being filed with the U.S. Patent and Trademark Office via EFS-Web on April 25, 2007.

  
Audrey Brown